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**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

DAVID MOHNEY, et al.,

Plaintiffs,

-against-

**SHELLY'S PRIME STEAK, STONE CRAB &
OYSTER BAR a/k/a SHELLY'S NEW YORK a/k/a
SHELLY'S NEW YORK STEAKHOUSE AND
OYSTER BAR, et al.,**

Defendants.

06 Civ. 4270 (PAC)

**NOTICE FOR PLAINTIFFS' UNOPPOSED MOTION FOR APPROVAL OF
ATTORNEYS' FEES AND REIMBURSEMENT OF EXPENSES**

For the reasons set forth in the Memorandum of Law in Support of Plaintiffs' Unopposed Motion for Approval of Attorneys' Fees and Reimbursement of Expenses, and in the Declaration of Justin M. Swartz in Support of Plaintiffs' Motion and the supporting exhibits attached thereto, Plaintiffs respectfully request that the Court enter an Order:

- (1) awarding Class Counsel attorneys' fees of \$1,047,171.26;
- (2) awarding Class Counsel costs of \$50,000; and
- (3) granting such other, further, or different relief as the court deems just and proper.

Dated: March 26, 2009
New York, New York

Respectfully submitted,
OUTTEN & GOLDEN LLP
By:

/s/ Justin M. Swartz
Justin M. Swartz (JS 7989)

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